

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 95

April 30, 1996, 5:20 p.m.
Page S-4404 Temp. Record

ILLEGAL IMMIGRATION/Child, Pregnant, & Veteran Deeming Exceptions

SUBJECT: Immigration Control and Financial Responsibility Act of 1996 . . . S. 1664. Kennedy amendment No. 3822 to the Dole (for Simpson amendment) No. 3743.

ACTION: AMENDMENT REJECTED, 47-52

SYNOPSIS: As reported, S. 1664, the Immigration Control and Financial Responsibility Act of 1996, will address the issue of illegal immigration: by increasing the number of Border Patrol and investigative personnel; by establishing pilot programs to improve the system used by employers to verify citizenship or work-authorized alien status; by increasing penalties for alien smuggling and document fraud; by reforming asylum, exclusion, and deportation laws and procedures; and by reducing the use of welfare by aliens.

The Dole (for Simpson) perfecting amendment to the bill would strike all after the first word and would insert the text of the bill, as amended, with one technical change.

The Kennedy amendment to the Dole (for Simpson) amendment would exempt women in need of prenatal and postpartum services, children, and veterans from the requirement in this bill to deem the income and resources of an immigrant's sponsor to be the immigrant's income and resources for the purpose of determining that immigrant's eligibility for needs-based assistance.

(Under current law, sponsors of immigrants sign affidavits saying that they will provide support if necessary to prevent those immigrants from becoming public charges. Those affidavits of support are a condition of entry, but a series of court decisions have made them legally unenforceable. This bill will make an affidavit enforceable until an alien becomes a citizen or has worked 40 or more Social Security quarters without receiving welfare. Further, when determining eligibility for a family-sponsored immigrant for any means-tested Federal program (except for soup kitchens, the school lunch program, and the Women, Infants, and Children (WIC) program), the sponsor's income and resources will be deemed to be the immigrant's income and resources for 5 years after the immigrant's entry or for as long as the sponsor's affidavit is legally enforceable. Finally, aliens who receive welfare benefits for more than 12 months during the first 5 years they are in the United States will be classified as "public charges" and will be deportable. Refugees, asylees, and immigrants with severe disabilities will be exempted from this last provision.)

(See other side)

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YEAS (47)			NAYS (52)			NOT VOTING (1)	
Republicans (4 or 8%)	Democrats (43 or 91%)		Republicans (48 or 92%)	Democrats (4 or 9%)		Republicans (1)	Democrats (0)
Chafee	Akaka	Johnston	Abraham	Helms	Baucus	Thompson- ²	
Hatfield	Biden	Kennedy	Ashcroft	Hutchison	Bingaman		
Jeffords	Boxer	Kerrey	Bennett	Inhofe	Exon		
Specter	Bradley	Kerry	Bond	Kassebaum	Nunn		
	Breaux	Kohl	Brown	Kempthorne			
	Bryan	Lautenberg	Burns	Kyl			
	Bumpers	Leahy	Campbell	Lott			
	Byrd	Levin	Coats	Lugar			
	Conrad	Lieberman	Cochran	Mack			
	Daschle	Mikulski	Cohen	McCain			
	Dodd	Moseley-Braun	Coverdell	McConnell			
	Dorgan	Moynihan	Craig	Murkowski			
	Feingold	Murray	D'Amato	Nickles			
	Feinstein	Pell	DeWine	Pressler			
	Ford	Pryor	Dole	Roth			
	Glenn	Reid	Domenici	Santorum		EXPLANATION OF ABSENCE:	
	Graham	Robb	Faircloth	Shelby			
	Harkin	Rockefeller	Frist	Simpson			
	Heflin	Sarbanes	Gorton	Smith			
	Hollings	Simon	Gramm	Snowe			
	Inouye	Wellstone	Grams	Stevens		SYMBOLS:	
		Wyden	Grassley	Thomas			
			Gregg	Thurmond			
			Hatch	Warner			

Those favoring the amendment contended:

The Kennedy amendment would carve out three very narrow exceptions from this bill's deeming requirements. Those exceptions would be for children, pregnant women, and veterans. We should exempt children to make sure that children in need will not be denied care. We should exempt pregnant women because the babies they give birth to will be American citizens. We should exempt veterans because they have earned that exemption through military service. We urge the adoption of this amendment.

Those opposing the amendment contended:

This bill will not deny legal immigrant children, pregnant women, or veterans any service that they need. All that it will require is that if they need assistance, they will first turn to their sponsors who have promised to provide it. If their sponsors are not able to provide it, then they will be eligible for welfare assistance from the taxpayers. We see no need to go into greater detail because these issues have already been thoroughly discussed on previous amendments. We urge the rejection of this amendment.